IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

MFA.No. 672 of 2001(B)

OPMV.689/1996 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, THALASSERY
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APPELLANT/PETITIONER:

MELE PARAMBIL MANI,
AGED 22 YRS,
S/O. CHAVUNIYAN,
AUTORIKSHAW DRIVER,
VELLUR P.O., PAYYANNUR VIA,
KANNUR DIST.

BY ADV. SRI.M.SASINDRAN
SRI.K.P.HARISH

RESPONDENTS/RESPONDENTS
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1. **VADAKKEDATH JAYAKUMAR,**
S/O. PRABHAKARAN,
AGED 38 YRS,
THADIKKADAV AMSOM DESOM,
VIA THALIPARAMBA.

2. **V.J. SEBASTIAN,**
P.O. ALAKODE,
TALIPARAMBA VIA.

3. **THE BRANCH MANAGER,**
UNITED INDIA INSURANCE CO. LTD.,
TALIPARAMBA BRANCH,
P.O. TALIPARAMBA.

BY

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 10/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY & K. HEMA, JJ.

M.F.A.No. 672 of 2001

Dated this the 10th day of December, 2007.

JUDGMENT

Koshy, J:

Appellant-petitioner met with a motor accident while driving an autorickshaw. He was aged 22 at the time of accident. The Tribunal awarded an amount of Rs.35,850/- with 12% interest per annum from the date of application till its deposit. The application was filed in 1996 and the award was passed on 12th January, 2001 and it was pending for five years. He is entitled to interest at the rate of 12% on the award amount even if the amount is deposited immediately after the award. The only injury suffered by the appellant is fracture of shaft of left humerus. Considering the nature of injury, quantum of compensation awarded and the rate of interest granted, we are of the opinion that no further enhancement is required in this case. Just and reasonable compensation was awarded.

Appeal is dismissed.

Sd/-

J.B.KOSHY, JUDGE.

Sd/-

K. HEMA, JUDGE.

Krs.

J.B. KOSHY & K. HEMA, JJ.

M.F.A.No. 672 of 2001

Dated this the 10th day of December, 2007.

JUDGMENT